

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA

PLAINTIFF

VS. CASE NO. 05-CV-329-GSF(SAJ)

TYSON FOODS, INC, ET AL

DEFENDANTS

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DEPOSITION OF

RANDY YOUNG

Taken Thursday, October 2, 2008

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A P P E A R A N C E:

ON BEHALF OF THE PLAINTIFF:

RICHARD T. GARREN, ESQUIRE

RIGGS, ABNEY, NEAL, TURPEN, ORBISON

& LEWIS, P.C.

502 West Sixth Street

Tulsa, Oklahoma 74119-1010

LOUIS W. BULLOCK, ESQUIRE

BULLOCK, BULLOCK & BLAKEMORE

110 West Seventh Street, Suite 707

Tulsa, Oklahoma 74119

ON BEHALF OF THE DEFENDANTS:

TODD P. WALKER, ESQUIRE

FAEGRE AND BENSON

3200 Wells Fargo Center

1700 Lincoln Street

Denver, Colorado 80203

1 general counsel for the Natural Resources
2 Commission.

3 MS. PHELPS: Crystal Phelps,
4 Associate General Counsel for the Arkansas
5 Natural Resources Commission.

6 MR. BABER: Adrian Baber. I'm in the
7 Conservation Division at Arkansas Natural
8 Resources Division.

9 MR. SISK: Patrick Fisk. For manager
10 of ANRC.

11 VIDEOGRAPHER: Thank you. The
12 witness may be sworn in.

13 THEREUPON,

14 RANDY YOUNG,
15 having been called for examination and having first been
16 duly sworn by the undersigned notary public, was
17 examined and testified as follows:

18 DIRECT EXAMINATION

19 BY MR. GRACE:

20 Q All right, Mr. Young. My name is Richard
21 Garren. I represent the State of Oklahoma. We met
22 before but I have a couple of preliminary questions.

23 Have you ever given a deposition? I know you
24 have testified before. Have you ever given a
25 deposition?

1 rate was more restrictive than the rate that would
2 typically occur under a plan with the Arkansas P --

3 MR. GARREN: Object to form.

4 WITNESS: What I told Phillip that I
5 wanted when we asked him to start working
6 on that was something that would be as
7 stringent or more stringent than what he
8 felt the plan would provide for us. So, I
9 have got to believe that it's at least as
10 stringent, if not more so.

11 BY MR. GEORGE:

12 Q So, from 2003 when the laws were passed until
13 January of 2007, a person using poultry litter in
14 the Arkansas side of the Illinois River basin either
15 had to have a nutrient management plan or applied
16 the protective rate; is that correct?

17 A Correct.

18 Q You were asked some questions, Mr. Young, about
19 the hauling of poultry litter out of the Illinois
20 River water shed by an organization called BMPs,
21 Inc. Do you recall that?

22 A Yes.

23 Q Are you aware that several poultry companies
24 have contributed significant amounts of money in
25 support of the efforts of BMPs, Inc.?